IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIFTH DAY OF NOVEMBER TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE P.S. NARAYANA

W.P.No.10369 of 1997

Between:

1. Sompally Vemanna s/o. Yerrappa,

Hindu, aged about 25 years, Katnagallu

Village, Peddathippasamudram Mandal,

Chittoor District.

2. Chinthapalle Gangulappa s/o.Madanna,

Hindu, aged about 70 years,

Katnagallu village, Peddathippasamudram

Mandal, Chittoor District. .. Petitioners

And

1. The District Collector, Chittoor,

Chittoor District.

2. The Sub-Collector, Madanapalle,

Chittoor District.

3. The Mandal Revenue Officer,

Peddathippasamudram Mandal,

Chittoor District.

4. S.Gangulamma, Katnagallu village,

Peddathippasamudram Mandal,

Chittoor District.

5. S.Vemakka, Katnagallu village,

Peddathippasamudram Mandal,

Chittoor District. .. Respondents

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or order or direction more particularly one in the nature of writ of mandamus holding that the action of the 3rd respondent in granting house site pattas in the same area to the respondents 4 and 5 which was already assigned to the petitioners in Sy.No.460/2 of Katnagallu village, Peddathippasamudram Mandal, Chittoor District as illegal, arbitrary and contrary to the assignment rules.

Counsel for the petitioners : Sri D.Kodandarami Reddy

Counsel for the respondents : G.P. for Assignment

The Court made the following :

ORDER:

Heard the Counsel for petitioners and also Government Pleader for Assignment.

The Writ Petition is filed praying for a writ of mandamus holding that the action of the 3rd respondent in granting house site pattas in the same area to the respondents 4 and 5 which was already assigned to the petitioners in Sy.No.460/2 of Katnagallu village,

Peddathippasamudram Mandal, Chittoor District as illegal, arbitrary and contrary to the assignment rules and to pass such other suitable orders.

On 13-5-1997 in W.P.M.P.No.12573/97 interim direction was granted by this Court directing the respondents not to make any constructions in Sy.No.460/2 pending disposal of the Writ Petition. It is also stated that as against the orders of the assignment of pattas in favour of respondents 4 and 5 the petitioners along with certain other villagers filed Appeal before the Sub-Collector on 3-4-1997 and the same is pending. In view of the same, the 2nd respondent herein is hereby directed to dispose of the Appeal said to have been preferred by the petitioner and the other villagers relating to the assignment made in favour of respondents 4 and 5 within a period of two months from the date of receipt of the order. Till disposal of the Appeal by the Appellate Authority as aforesaid, status-quo to be maintained in the meanwhile.

The Writ Petition is accordingly disposed of.

P.S.Narayana.,J

Date : 25-11-2004

L.R. copy to be marked : YES / NO

AM

To

1. The District Collector, Chittoor,

Chittoor District.

2. The Sub-Collector, Madanapalle,

Chittoor District.

3. The Mandal Revenue Officer,

Peddathippasamudram Mandal,

Chittoor District.

4. 2 copies to G.P. for Assignment,

High Court of A.P.

High court Buildings,

Hyderabad (OUT).

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